

Second Regular Session 113th General Assembly (2004)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2003 Regular Session of the General Assembly.

SENATE ENROLLED ACT No. 449

AN ACT to amend the Indiana Code concerning human services.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 2-5-23-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2004]: Sec. 4. The commission may study any topic:

- (1) directed by the chairman of the commission;
- (2) assigned by the legislative council; or
- (3) concerning issues that include:
 - (A) the delivery, payment, and organization of health care services; ~~and~~
 - (B) rules adopted under IC 4-22-2 that pertain to health care delivery, payment, and services that are under the authority of any board or agency of state government; ~~and~~
 - (C) **the implementation of IC 12-10-11.5.**

SECTION 2. [EFFECTIVE APRIL 1, 2004] (a) **As used in this SECTION, "CHOICE program" refers to the community and home options to institutional care for the elderly and disabled program established under IC 12-10-10.**

(b) **As used in this SECTION, "office" refers to the office of the secretary of family and social services (IC 12-8-1-1).**

(c) **The office shall report, in writing, to the health finance commission (IC 2-5-23) not later than May 1, 2004, the office's progress in implementing IC 12-10-11.5. The report must also include the following:**

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- (1) Plans and progress to use all funds appropriated by the general assembly for the CHOICE program, and only for that program, as long as a waiting list exists for CHOICE program funded services.**
 - (2) Plans for establishing the comprehensive array of home and community based services that are required by IC 12-10-11.5.**
 - (3) Progress in enrolling individuals in home and community based services through Medicaid waivers, using the income eligibility standard established for those services by IC 12-10-11.5.**
 - (4) Progress in moving individuals from institutions to home and community based services through Medicaid waivers, using the funds that follow the individual under IC 12-10-11.5.**
 - (5) Progress in tracking and recording savings generated by the implementation of IC 12-10-11.5.**
 - (6) Plans and actions taken to secure federal funding, including grants and private and state funding, other than funds appropriated to the CHOICE program, to assist in the implementation of IC 12-10-11.5.**
 - (7) The office's reasons for any failure to meet the statutory deadlines established by IC 12-10-11.5.**
 - (d) This SECTION expires July 1, 2005.**
- SECTION 3. An emergency is declared for this act.**

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President of the Senate

President Pro Tempore

Speaker of the House of Representatives

Approved: _____

Governor of the State of Indiana

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